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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of

Amendment of the Commission's
Rules to Establish New
Personal Communications
Services

)
)
) GEN Docket No. 90-314
)
) RM-7140, RM-7175, RM-7618
)
)

COMMENTS OF THE
NORTH AMERICAN TELECOMMUNICATIONS ASSOCIATION
ON UTAM PLAN FOR FINANCING
AND MANAGING 2 GHZ MICROWAVE RELOCATION

Pursuant to the Commission's Public Notice, DA 94-873, the North American Telecommunications Association ("NATA") submits the following comments on the UTAM Plan for Financing and Managing 2 GHz Microwave Relocation.

As we have discussed in previous filings in this docket, NATA members today are actively developing and, increasingly, marketing wireless equipment for use with customer premises business telecommunications systems, including PBXs, centrex, key systems, and LANs. The primary factor holding up the further development of the market is uncertainty as to the future availability of radio frequencies for these wireless systems. The spectrum allocated by the Commission at 1910-1930 MHz for unlicensed personal communications services ("PCS") offers for the first time the prospect of a secure source of radio frequencies for the equipment that will make possible the "wireless office."

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UTAM has now submitted a specific plan for clearing this spectrum. NATA's comments do not address all the specifics of this plan. NATA believes that the general approach to spectrum clearing that UTAM has selected for clearing the 1910-1930 MHz band is the best available, given the economic and regulatory constraints involved. In light of those constraints, the general approach of the UTAM plan, as NATA understands it (see discussion below), appears sound and is appropriately designed to clear the 1910-1930 MHz band in a relatively efficient manner.

The Commission requested specific comment on whether the plan (1) is equitable to all prospective manufacturers of unlicensed devices and (2) permits the implementation of nomadic devices, particularly nomadic data PCS devices, as promptly as possible. These issues are addressed below.

I. THE PLAN APPEARS EQUITABLE TO ALL MANUFACTURERS

Regarding the first issue, it is NATA's understanding that the UTAM plan is not intended to require any equipment manufacturer to change its basic structure for marketing and distributing customer premises equipment ("CPE"). Currently, some manufacturers market CPE through "direct" distribution outlets which are affiliated with the manufacturer. Others market CPE through unaffiliated retailers. UTAM's spectrum clearing plan should not -- and, as we understand it, does not -- prevent manufacturers who currently use unaffiliated retailers from continuing to use such retailers for marketing unlicensed PCS equipment in conjunction with wired CPE

systems, provided that all applicable regulations are complied with.

Specifically, the UTAM plan describes a series of deployment procedures which must be completed before unlicensed PCS devices can be installed and operated. UTAM Plan at 67-68. Some of these procedures apply to the process of registering equipment models with UTAM and the FCC, while other procedures apply to the actual sale and installation of equipment at an end user's location. With regard to the sale and installation of equipment, it is NATA's understanding that the manufacturer can either perform these procedures itself (through an affiliated "direct" outlet), or can authorize an unaffiliated retailer to perform the procedures.

Based on this understanding of UTAM's plan, NATA believes the plan is equitable to all manufacturers and will not unduly disadvantage any manufacturer of CPE.

II. THE PLAN WILL EXPEDITE AVAILABILITY OF SPECTRUM TO NOMADIC DEVICES

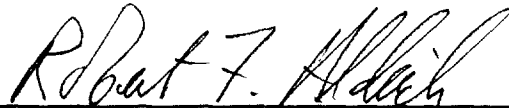
NATA believes UTAM's plan is the most effective available method to expedite availability of spectrum in the 1910-1930 MHz band to nomadic devices. Given the apparent incompatibility of nomadic devices with existing microwave facilities, the only way to make this band available to such devices is to completely clear it. Absent other funding, the most effective way to clear the band is to enable non-nomadic devices to be deployed so that the spectrum clearing fees from deployment of such devices can be used to complete the band clearing process as rapidly as possible.

UTAM's approach, which relies on spectrum clearing fees from non-nomadic devices but which also seeks additional sources of funding, is a reasonable one and should be approved.

CONCLUSION

Based on the foregoing, NATA believes that UTAM's plan addresses the Commission's concerns and should be approved.

Respectfully submitted,



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